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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,885	12/14/2001	Toshio Nakagawa	CU-2779 RJS	6071

26530 7590 05/04/2005

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EXAMINER
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KOROBOV, VITALI A

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/016,885

Applicant(s)

NAKAGAWA ET AL.

Examiner

Vitali Korobov

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 12-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 14 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date multiple.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

Claims 1 – 11 are presented for examination.

#### ***Paper Submitted***

It is hereby acknowledged that the following papers have been received and placed of record in the file:

- a. **Information Disclosure Statements** as received on 03/04/2002 and on 01/13/2005 are considered.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 – 11 are rejected under 35 U.S.C. 102(b) as being anticipated by U. S. Patent 6,002,394 issued to Schein, Steven et al., (hereinafter Schein), said patent incorporating by reference the complete disclosure of U. S. Patent 5,353,121, issued to Young et al., (hereinafter Young).

With respect to claim 1, Schein teaches a system, comprising: a content information database which stores therein content information about contents associated with broadcast programs on a channel-and-time-specific basis that corresponds to a channel and a time of each broadcast program (Col. 4, lines 17 – 23,

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database), said content information including at least one of content guide information descriptive of the contents and content location information indicative of locations of the contents on a network (Col. 4, lines 45 – 47); and a content selecting unit which searches in said content information database for the content information of a specific channel and a specific time in response to a request from a user terminal indicating at least one of the specific channel and the specific time in a direct or indirect manner (Col. 4, lines 41 – 45, searching), and provides the content information of the specific channel and the specific time to the user terminal (Col. 4, lines 41 – 45, information retrieval).

With respect to claim 2, Schein teaches the system as claimed in claim 1, further comprising a content providing server which provides the user terminal with the contents that correspond to the content information of the specific channel and the specific time (Col. 15, lines 43 – 47).

With respect to claim 3, Schein teaches the system as claimed in claim 2, wherein the contents provided to the user terminal are identified by the content location information (Col. 18, lines 24 – 27).

With respect to claim 4, Schein teaches the system as claimed in claim 1, further comprising a time marking unit which indicates a time of a present instant, wherein said content selecting unit searches in said content information database for the content information of the specific channel specified by the request from the user terminal and the specific time indicated by said time marking unit (Fig. 16A, lower right hand side corner shows a time of the present instant; third line from the top shows content selected based on the specific time; left column indicates specific channel).

With respect to claim 5, Schein teaches the system as claimed in claim 1, wherein the specific channel and the specific time are stored as a current setting (Col. 9, lines 6 – 7 – memory and timing functions; Col. 9, line 31 – storage of specific channels the user is subscribed to, or col. 10, lines 49 – 50 – storage of specific favorite channels), and said content selecting unit searches in said content information database for the content information of the specific time of the current setting and a channel indicated by a request from the user terminal indicating a relative change from the specific channel of the current setting (Col. 10, lines 31 – 39 – search for a particular time; lines 47 – 50, ordering and selection of specific channels).

With respect to claim 6, Schein teaches the system as claimed in claim 1, wherein the specific channel and the specific time are stored as a current setting (Col. 9, lines 6 – 7 – memory and timing functions; Col. 9, line 31 – storage of specific channels the user is subscribed to, or col. 10, lines 49 – 50 – storage of specific favorite channels), and said content selecting unit searches in said content information database for the content information of the specific channel of the current setting and a time indicated by a request from the user terminal indicating a relative change from the specific time of the current setting (Col. 10, lines 31 – 39 – search for a particular time; lines 47 – 50, ordering and selection of specific channels; col. 9, lines 56 – 58 – time incrementing).

With respect to claim 7, Schein teaches the system as claimed in claim 1, further comprising a content-selection user interface which communicates with the user terminal, and has buttons thereon for selecting channels, wherein pressing of one of the

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buttons results in the user terminal sending the request to the content selecting unit (Col. 13, lines 1 – 17).

With respect to claim 8, Schein and Young teach the system as claimed in claim 1, wherein said content-selection user interface has a button thereon for indicating a relative shift from a current time setting (Schein, col. 13, lines 1 – 17, Young, Fig. 21, item 132).

With respect to claim 9, Schein and Young teach the system as claimed in claim 1, wherein said content-selection user interface has a button thereon for indicating a relative shift from a current channel setting (Schein, col. 13, lines 1 – 17, Young, Fig. 21, item 136).

Claims 10 - 11 are rejected in view of the above rejection of claims 1 - 9. Claims 10 - 11 are essentially the same as claims 1 - 9, except that they set forth the invention as a method rather than a system, as do claims 1 – 9.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR § 1.111(c).

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U.S. Patent No. 6,505,348 B1 by Knowles et al. The patent is considered pertinent to the applicant disclosure because it teaches multiple interactive electronic program guide systems and methods

U.S. Patent No. 6,460,181 B1 by Donnelly. This patent publication is considered pertinent to the applicant disclosure because it teaches a system for providing television schedule information, and more particularly a television schedule information guide with on-screen buttons.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vitali Korobov whose telephone number is 571-272-7506. The examiner can normally be reached on Mon-Friday 8a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vitali Korobov  
Examiner  
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